

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DOUGLAS HANDSHOE

PLAINTIFF

VERSUS

CIVIL ACTION NO: 1:13CV251 LG JMR

**AARON F. BROUSSARD, DANIEL ABEL,
CHARLES LEARY, VAUGHN PERRET,
CHRIS YOUNT, TROUT POINT LODGE
LIMITED, NOVA SCOTIA ENTERPRISES, LLC**

DEFENDANTS

**MEMORANDUM BRIEF IN SUPPORT OF MOTION OF DEFENDANTS,
CHARLES LEARY, VAUGHAN PERRET, AND TROUT POINT
LODGE LIMITED FOR PROTECTIVE ORDER**

On June 12, 2013 Charles Leary, Vaughan Perret, and Trout Point Lodge filed their Motion to Dismiss [Docket No: 4] and on July 16, 2013 Charles Leary, Vaughan Perret, and Trout Point Lodge filed their Brief in Support of Motion to Dismiss [Docket No: 21].

On or about July 15, 2013 Plaintiff, Douglas Handshoe, served counsel for Charles Leary, Vaughan Perret, and Trout Point Lodge with:

1. Plaintiff's Interrogatories to be Answered by Defendants Under Oath;
2. Plaintiff's Request for Production of Documents to be Responded to by Defendant Under Oath; and
3. Plaintiff's Request for Admission of Facts.

On June 28, 2013 as a result of the Motion to Dismiss [docket No. 4], the Court entered its Order Staying Proceedings [Docket No. 18] which stayed all proceedings, including Plaintiff's referenced discovery requests.

By filing his discovery requests, the Plaintiff has totally ignored the Court's stay order, Federal Rule of Civil Procedure 26, pretrial discovery and initial disclosure procedure, Local Rule 26(a) requiring initial disclosures prior to discovery, Local Rule 26(b) commencement and completion of discovery, and Local Rule 26(e) case management procedures.

Accordingly, Movants request the Court to enter a Protective Order relieving them from the necessity of responding to Plaintiff's discovery requests unless and until the Court permits discovery to go forward.

RESPECTFULLY SUBMITTED this the 25th day of July, 2013.

CHARLES LEARY, VAUGHN PERRET,
AND TROUT POINT LODGE, LIMITED,

By: s/ Henry Laird
Henry Laird, MS Bar No. 1774

CERTIFICATE OF SERVICE

I, Henry Laird, of the law firm of Jones Walker LLP do hereby certify that I have sent a true and correct copy of the foregoing Brief in Support of Motion for Protective Order by using the ECF system to the following:

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This the 25th day of July, 2013.

s/ Henry Laird
Henry Laird

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